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**S**tructural  
**A**nalysis of  
**C**ultural  
**S**ystems

United Nations  
Human Rights Council  
Expert Mechanism on the Rights of Indigenous Peoples  
Fourth session

Geneva, 11-15 July 2011

*Statement on Item 5*

## **Translating the Indigenous Rights Declaration into action**

Thank you, Mr. Chairman,

During this fourth session of the Expert Mechanism on the Rights of Indigenous Peoples, it has already been pointed out that the implementation of the Declaration on the Rights of Indigenous Peoples has to be ensured by monitoring it, for example the functioning of indigenous peoples' participation in decision-making, of their own educational systems, especially in their own indigenous language. States are obligated in many articles of the Declaration to take effective measure to ensure its translation into action. But how should this, in practice, be done? Should the state regularly send officers to indigenous villages? This would mean constant interference of the dominant culture with the indigenous peoples, as these officials, by their presence, would each time constitute a destabilising impact on the social system, which would thereby be controlled by the state. As it is unlikely that those carrying out the control visits are well enough trained to avoid any destabilisation, the regular monitoring to secure the implementations should, in observance of Art. 4 of the Declaration, be in the hands of the respective indigenous peoples. Besides these practical considerations, it has also to be asked to which extent the non-indigenous, dominant side is determined to respect indigenous peoples and translate the Declaration into action at all. E.g., the deportation of Batwa people from national parks in eastern Uganda was supported by the European Union. It resulted in terrible immiseration of the Batwa, as our institution could verify during a minimally-invasive research visit last December. Due to the expulsion from the forest, especially Batwa women are exposed to constant rape by Bantu men. If the European Union would seriously be committed to implement the Indigenous Rights Declaration, it would invest some efforts to reverse the expulsion and support the return of the Batwa people into their forest. This is only one example of the lack of efforts among the dominant non-indigenous culture to seriously implement the Indigenous Rights Declaration.

Thank you, Mr. Chairman.